

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

(1)	EMMERT SECOND LIMITED)	
	PARTNERSHIP, a Nevada limited)	
	partnership;)	
(2)	I.A.M. OF PUERTO RICO, INC.,)	
	a Puerto Rico corporation;)	
(3)	DURA-STILT SALES LIMITED)	
	PARTNERSHIP, a Nevada limited)	
	partnership,)	
)	
	Plaintiffs,)	
)	
v.)	Case No. CIV-10-00015-C
)	
(1)	DIAMOND WALL, INC.,)	JURY TRIAL DEMANDED
)	
	Defendant.)	

**JOINT APPLICATION FOR EXTENSION
OF TIME FOR DEFENDANT TO RESPOND TO COMPLAINT**

Plaintiffs, Emmert Second Limited Partnership, I.A.M. of Puerto Rico, Inc., and Dura-Stilt Sales Limited Partnership (“Plaintiffs”), and Defendant, Diamond Wall, Inc. (“Defendant”) hereby request that the Court extend Defendant’s deadline to respond to the Complaint filed by Plaintiffs. In support hereof, the parties state as follows:

1. Plaintiffs commenced this action by filing a Complaint on or about January 5, 2010. (Dkt. 1.)
2. On May 3, 2010, Plaintiffs effected service of the Summons and Complaint by first class mail and email upon counsel for Defendant who was authorized to accept service on behalf of Defendant.

3. The current deadline for Defendant to respond to Plaintiffs' Complaint is June 26, 2010.

4. The parties have been continuously negotiating a settlement of this case. In an attempt to resolve this matter short of further litigation, the parties respectfully request that the Court grant Defendant an additional sixteen (16) days, or until July 12, 2010, to respond to Plaintiffs' Complaint.

5. The parties previously filed a motion to extend this deadline from May 27, 2010, to June 26, 2010, which motion was granted.

6. The requested extension will not affect any other deadlines.

7. A proposed order is submitted concurrently herewith.

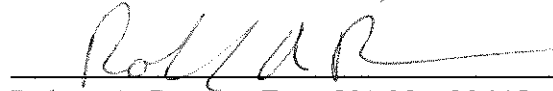
WHEREFORE, for the foregoing reasons, Plaintiffs, Emmert Second Limited Partnership, I.A.M. of Puerto Rico, Inc., and Dura-Stilt Sales Limited Partnership, and Defendant, Diamond Wall, Inc., respectfully request that the deadline for Defendant to respond to Plaintiffs' Complaint be extended until July 12, 2010.

**FELLERS, SNIDER, BLANKENSHIP,
BAILEY & TIPPENS, P.C.**

s/ Mark K. Stonecipher

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A handwritten signature in dark ink, appearing to read 'Robert A. Rowan', is written over a horizontal line.

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	Defendant.)	

ORDER

NOW comes on for consideration the Joint Application for Extension of Time for Defendant to Respond to Complaint [*Dkt.* ____]. For good cause shown, Defendant is hereby granted leave until July 12, 2010, to respond to Plaintiffs' Complaint.

SO ORDERED this _____ day of June, 2010.

UNITED STATES DISTRICT COURT JUDGE